

REMARKS**Claim Status**

Claims 91-154 are pending in the application. Claims 91, 95, 99, 122, 127, 140, and 149 have been amended. Applicant respectfully requests reconsideration of the previously rejected and objected to claims in view of the above amendments and the arguments below.

Allowable Subject Matter

Applicant gratefully acknowledges the notification of allowable subject matter in claims 99-107, 122-135, and 149-153. In the Office Action, the Examiner objected to these claims, but wrote that the claims would be allowable if rewritten in independent form including all the limitations of the base claims and any intervening claims. Accordingly, claims 99, 122, 127, and 149 have been rewritten in independent form to incorporate all the limitations of their respective base claims (these claims have no intervening claims). The remaining objected to claims depend from one of the rewritten claims 99, 122, 127, or 149, and should be patentable together with the rewritten claims.

Art Rejections

The Office Action rejected claims 91-98, 111, 113-116, 121, 139, 141-144, and 154 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 5,327,534 to Hutchison *et al.* ("Hutchison" hereinafter); claims 108-110, 112, 117-120, 138, and 140-148 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hutchison in view of U.S. Patent Number 5,546,385 to

Caspi *et al.* (“Caspi”). According to the summary of the Office Action, claims 136 and 137 were also rejected. We respectfully request reconsideration of these rejections.

The Office Action states that Hutchison discloses, at col. 9, lines 25-49, “a multiport LAN bridge incorporating the steps of capturing the address from the bus [and] converting the address into a value stored in the routing tag.” The cited portion of Hutchinson, however, appears to teach implementation and operation of an alias comparator 246, also known as a source address (SA) comparator, to detect duplicate network addresses. According to the cited portion, it appears that the comparator 246 (1) compares the source address of a received frame to the addresses stored in the comparator’s memory, and (2) if the comparator determines that a match is detected, then, under certain circumstances, a signal on line 270 is asserted to indicate that a duplicate alias address problem exists within the network. The cited portion of Hutchison does not teach the step of converting the address into a value stored in a routing tag of a cell. Indeed, it appears that Hutchison does not teach the step of converting a bus address into a routing tag of a cell at all, as claim 91 recites. Similarly, Hutchison apparently does not teach the limitation of the “address conversion mechanism configured to convert said address into a value stored in said routing tag,” as is recited in claim 95.

Hutchison fails to anticipate independent claims 91 and 95 for yet another reason. The claims now recite that the routing tag for a cell is “based on an address provided by a bus operation on a computer system bus.” Hutchison, however, describes operation of a network, not of a computer system bus.

In the discipline of computer engineering, the word “bus” is generally understood to have two related but different meanings. First, bus is a conduit connecting various functional units of a computer system, to allow information flow between or among the functional units. For example, a bus can carry data, addresses, and control signals within the CPU subsystem, and between the CPU subsystem, memory, and peripheral devices. (This is, of course, merely one example of a computer system bus; there are many others.) The second meaning of a bus is in the context of a network: physical layers of some networks are implemented as a central cable (*e.g.*, electrical or optical conductor) connecting the nodes of the network. The central cable is known as the bus of the network. See the “bus” definitions in the following on-line technical dictionaries:

1. Webopedia, available at www.webopedia.com;
2. FOLDOC, available at foldoc.doc.ic.ac.uk/foldoc/index.html; and
3. Hyperdictionary, available at <http://www.hyperdictionary.com/computer>.

Hutchison discloses, in the cited portion, detection of duplicate alias addresses within a network. It appears that Hutchison does not teach operation of a computer system bus. Therefore, Hutchison cannot teach constructing a tag for a cell “based on an address provided by a bus operation on a computer system bus,” as is recited in both independent claims of the application.

Regarding claims 93 and 97, the Office Action referred to Hutchison, at col. 9, lines 25-49, for disclosure of a register defining an address window within fAMCAM. The undersigned attorney has perused the cited text, but found no disclosure of such register. We respectfully request the Examiner to reconsider the rejection.

Claims 108-110, 112, 117-120, 138, and 140-148 were rejected based on the combination of Hutchison with the PCI bus teaching of Caspi. Regarding claims 110, 112, 117, 138, 140, and 145, the Office Action explained the purported motivation to combine Hutchison with Caspi thus: “it would have been obvious to one skilled in the art to use PCI bus as taught by Caspi et al in the communication system of Hutchison et al for connecting the users for communication.” Initially we note that the specification of the application discloses node-to-node communication. *See, e.g.*, page 12, lines 24-25. It is fundamental that the disclosure of the application cannot be relied upon to provide the motivation to combine the references used to make a *prima facie* case of obviousness of the application’s claims. Moreover, the purported motivation – connecting users – is of the most general kind; it does not make obvious a particular technique used to achieve the end-result, *i.e.*, the use of a PCI bus. As the Court of Appeals for the Federal Circuit has recognized, a “general incentive does not make obvious a particular result, nor does the existence of techniques by which those efforts can be carried out.” *In re Deuel*, 51 F.3d 1551, 1559, 34 U.S.P.Q.2d 1210, 1216 (Fed. Cir. 1995). For these reasons we respectfully submit that the claims have not been rendered obvious by Caspi.

The Office Action uses a similarly broad explanation for combining a sliding window technique with Hutchison. According to the Office Action, the sliding window technique, recited in claims 119, 120, 147, and 148,¹ is well known in the art, and it would have been obvious to combine this technique with Hutchison “in order to control the flow of data.” Flow of data can be controlled or improved in various ways. The claims in issue, however, recite this specific technique and a

¹ We understand this argument to apply also to claim 146, which recites the sliding window technique.

specific combination using the technique. Whether or not the sliding window technique is well known, “controlling the flow of data” does not provide the required incentive for combining the technique with another reference.

Regarding claims 108, 109, 118, 141-144, and 146-148, the Office Action does not explain how the cited references can be combined, and does not point out the incentive for the combination.²

It appears, however, that Caspi does not teach several of the limitations recited in these claims, for example, the incomplete transaction cache of claims 118-120 and 146-148. The Office Action also does not provide an explanation for rejection of claims 136 and 137. We therefore respectfully traverse these rejections.

Some of the rejected dependent claims have not been specifically addressed in this Response. These claims are patentable together with the claims from which they depend.

² Claims 141-144 were also rejected under 35 U.S.C. § 102(b) as anticipated by Hutchison. See discussion of section 102 rejections above.

CONCLUSION

For the foregoing reasons, Applicant respectfully submits that all pending claims are patentable over Hutchison and Caspi. To discuss any matter pertaining to the present application, the Examiner is invited to call the undersigned attorney at (858) 720-9431.

Having made an effort to bring the application in condition for allowance, a timely notice to this effect is earnestly solicited.

Respectfully submitted,

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